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Amended patent claims pursuant to Article 34 PCT

1. CFDV virus DNA fragment which encompasses the stem-loop structure, but not the translation start for the open reading frame ORF1.

10 2. CFDV virus DNA fragment according to Claim 1, which additionally does not encompass the translation start for the open reading frame ORF2.

15 3. CFDV virus DNA fragment according to Claim 1 or 2, which additionally encompasses the repeated RPT structures, the 52-bp-sequence and the TATAA sequence.

4. CFDV virus DNA fragment according to Claim 1 or 2, which encompasses the nucleotides 211 to 991, 409 to 991, 611 to 991 or 711 to 991, where, for the purpose of numbering the nucleotides, the 5'-end of the 20 linearized DNA resulting from cleaving the circular CFDV DNA with the restriction endonuclease *Xho*I, has been assigned the position 1.

5. DNA fragment, which is derived from one of the CFDV virus DNA fragments according to one of Claims 1 to 4 by substituting, deleting, inserting or modifying individual nucleotides or smaller groups of nucleotides and has a promoter activity which is comparable with that of the starting fragment.

25 6. Use of one or more DNA fragments according to one of Claims 1 to 5 as promoter.

7. Use of one or more DNA fragments according to Claim 6 as promoter in bacteria, yeasts or fungi.

8. Use of one or more DNA fragments according to Claim 6 as promoter for the tissue-specific expression 35 of genes in transgenic plants.

9. Use of one or more DNA fragments according to Claim 8 for the phloem-specific expression of genes in transgenic plants.

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10. Use of one or more DNA fragments according to one of Claims ~~1~~ to 5 for the generation of chimeric constructs for the transient and stable expression.

11. Transgenic plants, parts of plants, transformed 5 plant, yeast or bacterial cells obtained using a DNA according to one of Claims 1 to 5.

add A1

add C2 > acb5